

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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Paul Andrus and Ronald Berresford,  
individually and as representatives of a  
class of similarly situated persons, and on  
behalf of the New York Life Agents  
Progress-Sharing Investment Plan and the  
New York Life Insurance Company  
Employee Progress-Sharing Investment  
Plan,

Plaintiffs,

v.

New York Life Insurance Company, New  
York Life Investment Management LLC,  
New York Life Investment Management  
Holdings LLC, Cornerstone Capital  
Management Holdings LLC, Cornerstone  
Capital Management LLC, Board of  
Trustees of the New York Life Agents  
Progress-Sharing Investment Plan, Board  
of Trustees of the New York Life Insurance  
Company Employee Progress-Sharing  
Plan, Maria J. Mauceri, Barry A Schub,  
John Y. Kim, Arthur H. Seter, Drew E.  
Lawton, Michael M. Oleske, Robert J.  
Hynes, and Johns Does 1–30,

Defendants.

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Case No. 1:16-cv-05698-KPF

**NOTICE OF PLAINTIFFS' MOTION  
FOR FINAL APPROVAL OF CLASS  
ACTION SETTLEMENT**

Please take notice that, upon the accompanying Memorandum of Law, the Declarations of Kai Richter and Richard Simmons (and the exhibits to those Declarations), the previously-filed Declarations of Paul Andrus and Ronald Berresford (ECF Nos. 67 and 68), and all files records and proceedings in this matter, Plaintiffs will move this Court, before the Honorable Katherine Polk Failla, at the United States Courthouse located at 40 Foley Square, New York, New York, pursuant to Federal Rule

of Civil Procedure 23, for an order granting final approval to the parties' Class Action Settlement Agreement (which was previously filed with the Court at ECF No. 66-1). A proposed Final Approval Order is being submitted in connection with this motion and is also attached as an exhibit to the Settlement Agreement (see ECF No. 66-6). **This motion is not opposed by Defendants as parties to the Settlement Agreement.**

Dated: June 1, 2017

**NICHOLS KASTER, PLLP**

/s/ Kai H. Richter

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